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7100 N.W. 62<sup>nd</sup> Avenue  
P.O. Box 1000  
Johnston, Iowa 50131-1000

Phone: (515) 254-2823  
Fax: (515) 334-6883

**TO:** Mail Stop Non Fee  
Commissioner For Patents

**FROM:** Cassie Prochaska

**RE:** Soybean Variety XB09J04  
Serial No. 10/768,535  
Case 1795

**DATE:** 6/17/2005 **FAX NUMBER:** (703) 872-9306

**NUMBER OF PAGE(S) FOLLOWING THIS SHEET:** 8

**COMMENTS:**

Amendment – 7 pages  
Exhibit A – 1 page

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Case No. 1795

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Martin Arthur Fabrizio, et al.  
SERIAL NO : 10/768,535  
FILED : January 30, 2004  
TITLE : Soybean Variety XB09J04  
Grp./A.U. : 1638  
Examiner : Ibrahim, Medina Ahmed  
Cust. No. : 27310  
Docket No. : 1795

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AMENDMENT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

In response to the communication from the Examiner dated March 25, 2005, it is respectfully requested that this Amendment be entered and made of record. The following amendments and remarks place the application in form for allowance. No new matter is presented, and as such the Amendment is proper under 37 C.F.R. §1.121.

Applicant respectfully requests reconsideration.

Introductory Comments

Claims 1-8 are pending in the present application.

Amendment to the Specification is on page 2.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 5 of this paper.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Mail Stop Non-Fee Amendment, Alexandria, VA 22313-1450.

FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office, Art Unit 1638 at Fax No. (703) 872-9306.

Date: \_\_\_\_\_

  
STEVEN CALLISTEIN

Date: 6/17/2005